P. 7 201-92

G. R. S. IX-5J

Precious references. 1891-92

192 .

File No. (

Later references. (L. R.)

Serial Nos.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

In ~~Part~~ B for November 1892

SUBJECT.

Appeal
~~Prayer~~ of Kappaiah, Hukdar Shanbhogue Chinnakalli, praying that the Sale of the land (Pahani No. 307) in the Village be Cancelled and his Huk Confirmed—

The Deputy Commissioner, Tumkur Dh.
No. 6438 dt. 11. 11. 92. LR. 179-91-7
P. 7. 201-92.

Directing him to hand over the land to the Petitioner on certain Conditions, as the Sale of the land in question, ~~is~~ to a Stranger is irregular—

WD 2233—GPB—20,000—14-6-20

Letter from the Deputy Commr of Trichinopoly, No 958 dated the 19th March 1892, submitting the proceedings connected with the petition of Kuppaiya, Shanbogue of Chittanahally in the Gubbi Taluq, praying that land Palani No 307 of that village be applied and given out to him.

The facts of the case are as follows:—

1. By petitions dated 13th August 1887 and 28th March 1889, Shanbogue Kuppaiya of Chittanahally addressed the Amildar of Gubbi, that land No 307 of the Chittanahally village, which was in the Survey Settlement b

Settlement, added on to the Village site by writing off the assessment might be assessed and given out to him on the ground that that piece of land had many years before the Survey Settlement, been in his father's and after him, his possession and enjoyment, paying a Canadian Examination and his Fourney. that it was moreover a cultivable land, and that lands similarly treated in the Settlement had been subsequently assessed and given out to the holders thereof previous to the Settlement.

2. By a Kar'kast dated 16th August 1887

1887, the Board of
Chitaldroog actually ap-
plied for the identical
land in question.

This Court was
referred to the Amanat
Sheristadar for report
with a plan of
the measurement
of the land applied
for, the purpose for
which it was intended,
and the objections, if
any, for its disposal
by public auction.

3. The Amanat-Sheristadar
after procuring from
the Villagers a petition
to the effect that the
land sought to be
for was a Government
land, took the res-
ponsibility upon him-
self of auctioning
the site and knocked
it down to one Gopala

Rec'd 4 dated 17th August 1887

Rec'd 701/654 dated 21st January 1889

Popa Calicut Kanaya
for the sum of Rs. 132/.
In this respect he
mentioned the objections
raised by the petitioner
Kuchhaiya against
the disposal of the
land by public
auction, and therewith
submitted his deposition
taken by him. The
objections contained in
his deposition were the
grounds on which
he petitioned the Collr.
dare to apeci the land
and give it out to
him (Vide para 1
supra).

4. The Collector Cau-
celled the sale above
made without authe-
rity, and ordered
for the re-sale of the
land on the 20th
of September 1859,
issuing a proclamation
as well.

No 701 dated 21st January 1859.

No. 187/232 dated 10th August 1859

5. In reply to his petition (Vide para 1 above), Kuppaigya was informed by an endorsement No. 57, signed by the Amildar and dated 16th August 1889, that in pursuance of the Commissioner's order No. 83 of 1887 in a similar Case (Sirigiah Versus Ramaiah and others), his right to the land could not be acquired, but that a chance of obtaining it on sale had been given to him by ordering its sale on the 20th of September 1889.

6. On the re-sale held as above, the land fetched Rs: 33/- (being a rupee

more than what was realized in the first sale), and it was knocked down to one Chanbrague Sobharayll.

4. The original report of the Amildar for confirmation of the sale made the 2nd time and the order thereon of the Dy Commr — Confirming it, are not for the moment among the file of papers sent for perusal, but an authenticated copy of it has been produced by the petitioner with his appeal plaint to the Revenue Office. This order is as follows: —

" In the Settlement department

(1) Memorial

The sole ingredient of the sale in dispute here was sold. The Amildar submitted the 5 cases for confirmation with one report and the Dy Com[r] passed thereon Order No: 531 dated 20th Jan. 87 (1887) The record in the case of Chennaveera contains the original order (vide Amin report No: 1155 dated 12th Feby. 1892) in a similar case of which proceed by Venkatrambhatta Inquiry was made as

h What the Civil Cases were. And a memorandum submitted in this office No. 424/53 dated 4th July 91 in the case of Chemmanna the Dy Court of Amukur has required to report on the other cases. He has not done so. This has pointed out in Venkatramubhattus case & the Dy Court's report has been called for. If is awaited. Trial orders have been passed in Chemmanna's case. References put up.

4/1/92
2/5/92

Cmde cop
on 12 Nov 1890
passed on 11 Nov 1890

"Department took over
"the lands for a village
"site, and struck
"off the assessment,
"the former holders
"lost their rights
"as cultivating ryots.
"Since the lands
"were properly sold
"and the sale closed
"he confirmed

21 Nov 1890 d/ Comm.r

From the Trial Court's report No 1155 dated 12th February 1892, it appears that his report in the case under recd and the orders of the Dep.y Comm.r thereon No 531/817 dated 20th October 1887-88, were, recalled for in Dy Commissioner's

No

8

Rec 467/616 dated the 11th September 1890, submitted with Fils Rec 597 dated the 13th idem.

Sd. Ernesto Canaracci

7/4/92

Pieces

Hearing 27th October 92

Rem notice to the Pr & the purchaser.

CL

13/7/92

Give the date

CL

?

(8)

M. No 1103 of 1892
1686 of 1892

Appt
Ruppeah
of Chellanballi
Gubbi Taluq.

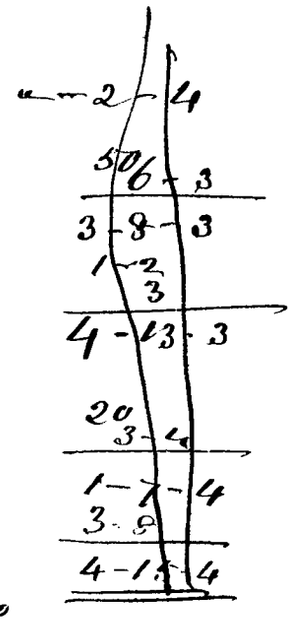
Petitioner had 2 Ballas of land assessed at 2-4 which was included in the Village site as Kharab in 1882-83. No compensation was given to him. Subsequently in September 1889, it was sold in Public auction as house site, & it was purchased by one Shanboy Subbaria for Rs 33. Petitioner protested against the sale & claimed the land, but his claim was rejected & the sale confirmed in November 1890. Petitioner immediately ~~claimed~~ applied for a copy of the order but it was not given to him till August 1891.

Petitioner claimes the land

10

on the ground that
it was formerly held
by them, but taken
away from them without
compensation. —

The Court consider
that the sale of the land
to a stranger was irregular.
It is therefore cancelled.
The land should be made
over to Petitioners on their
paying Rs 1,000 which is
twenty four times the asst
plus the asst of last year
up to date. The sum
of Rs 33 paid by Subbarāya
may be refunded to him. —



No 12 in
Subbarāya
for the return
of the money
paid by
him, on No 14 in Govt

VP
31/10 92

31/10

Note for R. Challapan

Never mind
in making the
pay interest
but I do not see
how it arose.
We will however
be satisfied with
the order. —

VP
31/10/92

Without
the finding
in Govt's
the truth

on 12
but
the law
bank

31/10

LR 179-91-1

(General Serial No. 32.)

1891/92

No. 1154 of 1155

Name of Petitioner. Kulappayya Shanbhogar

Village. Chitradurga

Taluk. Gubbi

District. Tumkur.

Date of Arzi. 28th & 30th Oct.

Date of Receipt. 2nd Nov.

Date of Disposal.

No. of Enclosures. Three.

ABSTRACT.

Their appeal is time barred the prescribed time. Appellants state that the delay was due to the long time occupied in the Taluk in furnishing them with a copy of the order now appealed against which had been forwarded to their office for reference in connection with another similar case.

Stamp paper stamped. Copy of the decree produced. Para 2 Rule 1 of Appeal Rules complied with.

7/11/91

Petition of the Petitioner for transmission to the Board

Submitted -

The Prop. in connection with the appeal of one Chikka Veera have been returned by Collr.

Appeal preferred by Ramchandra Chetty & others

Pending the delay referred to by Appr cannot be ascribed from their Prop.

Report from the Dy Comr appears the necessary papers submitted for orders -

No. 1103

Sir,

I am directed by the Secretary of State for India in Council to transmit to you, for the information of the Secretary of State for War, a copy of a Resolution passed by this Council on the 12th instant, in favour of granting a pension of £300 a year to Major General Sir Alexander Cunningham, K.C.I.E., C.S.I., late Royal Engineers, in consideration of his services in connection with the Archæological Survey of India.

I am to add that the Secretary of State in Council will be glad to be informed whether the Secretary of State for War concurs in the proposal.

I am, Sir,

Your most obedient Servant,

By Order

Under Secretary

The Under Secretary of State,
War Office.

12/9/91

No. 1103.

Received Bangalore 13 NOV 1891

Received Bangalore 13 NOV 1891

Received Bangalore 13 NOV 1891

Received Bangalore 13 NOV 1891

CHIEF SECRETARY
2 AUG 91
GOVT OF MYSORE

Please Reply Quoting above

3 [illegible]

[illegible]

[illegible]

[illegible]

33-00 [illegible]

4 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

5 [illegible]

[illegible]

[illegible]

[illegible]

[

1
2
3

20 JUL. 92

ನೋಟೀಸು.

ಸನ್ 1891-92ನೇ ಇಸವಿಯ ಅವಶ್ಯಕ್ತಿಯಿಂದ ಇಲ್ಲಿಗೆ 125

ನೀನು ಹುಜೂರಿಗೆ ಗುಜರಾ

ಯಿಸಿದ 1891ನೇ ಇಸವಿ ಮಾರ್ಚ್ 19 ನೇ ಮೊದಲುನಿನ ಅಪ್ಪೀಲ್ ಅರ್ಜಿಯು 27 ನೇ

ತಾರೀಖಿನ ದಿವಸ ಶಿವಮೊಗ್ಗೆಯಲ್ಲಿ ಜಿಲ್ಲಾಕಾನ್ಫರೆನ್ಸ್ ಮೀಟಿಂಗ್ ಆಗಬ್ಬಹುದಾದ್ದರಿಂದ ಆ ದಿವಸ ಮಧ್ಯಾನ್ನ

11 ಘಂಟೆಗೆ ನೀನಾಗಲಿ ಆಥವಾ ನಿನ್ನ ಕಡೆಯ ಸ್ಟ್ಲೀಡರ್ ವ ಅಟೊರ್ನಿಗಳಾಗಲಿ ನಮ್ಮ ಆಫೀಸ್ ರೂಬ

ರೂಬ್ ಹಾಜರಾಗಬೇಕು.

By Order,

Chief Secretary.

ಹುಜೂರ್ ರಿವಾ ಆಫೀಸ್

ತಾರೀಖು 28 ನೇ ಮಾರ್ಚ್

1892ನೇ ಇಸವಿ ನೋಟೀಸು

22 JUL. 92

ನೋಟೀಸ.

[illegible]

[illegible] 1541-42 [illegible] 125

[illegible]

[illegible]

[illegible] ಆರಡಿನ

[illegible] 27 [illegible]

[illegible] 11 [illegible]

[illegible]

ಹಾಜರಾಗಬೇಕು.

ಮೈಸೂರ ದಿವಾಣ ಆಫೀಸ
ತಾ 23 ನೇ ಜುಲೈ ಮಾಹೆ
1892 ನೇ ಇಸವಿಯಲ್ಲಿ ಬರೆಸಿದ್ದು.

By Order,
For Chief Secretary.

23.

22-8-92

40

24

135

No 94

OFFICE OF THE
28 JUL. 92

By Order

Under Secretary

117

108
2

15/8/92

26 R.

No. 169.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition, No. 1103 of 1686 dated, 9 August and 30 October / 21 respectively received at the Dewan's Office from Kuppayya, Huchidar Shanbogue of Chitrahalli praying that the sale of his land (Palmi No 307) in the village be cancelled and his hut confirmed is forwarded, together with its enclosures, to the Deputy Commissioner, Tumkur District, for report as to the correctness or otherwise of Petitioner's statement that the delay in submitting the appeal was due to the long time the Taluk took in furnishing him with a copy of the order now appealed against, as it had been forwarded to this office for reference in connection with another similar case.

By Order,

BANGALORE, 25 January 1892.

Chief Secretary.

Draft

27 NAP

(General Serial No. 30)

OFFICE OF THE
11785
26 FEB 92
P 96
SECRETARY OF STATE FOR INDIA

189

From

The Deputy Commissioner
Tumkur District

(5)

Delay in preferring appeal - Explained.

Submitted to Council.

4/3/92.

VL

Dated 24th February 1892

Despatched

Received

Enclosures No. 4

General No. 897
No.

Report on petitions from Kuppayya Shanbogue of Chitravalli, Gubbi Taluka

same subject as 41 of 1892

28

Tamil Nadu District

No: 897
Encl: 4

Deputy Commissioner's Office
Coimbatore 24th February 1922.

To,

The Private Secretary to the
Government of Madras.

Sir,

Ref in Draft
Mark 26/2

With reference to your Official Memorandum No: 169 of the 20th January 1922 forwarding petitions of Kuppayya Reddiar Thandapani of Chittandakki in the Erode Taluk for remission of the assessment on wetlands of the village on account of failure of crops by the petitioner for the delay in forwarding the appeal to Government I have the honor to submit the following particulars.

2. The order of the Tahsildar Coimbatore dated 29th the of the village officer in question declined by the petitioner was passed on the 12-1-20. The petitioner appealed to the Special Tahsildar Erode by petition dated 15th November 1920. He was informed

to said as the Executive Officer Containing the order had been sent to the District Officer for duplicate to the Chief Secretary as Ref. his Official Memorandum No. 4209 of 26-3-90. The petitioner again applied for the copy on the 5th of March 91. to the second Court Clerk to the Taluk office on the 8th August 91. Copy was furnished on the 8th August 1891.

2. The petitioner with the Executive Secretary received with the Memorandum under reply are herewith returned.

I have the honor to be.

Sir,

Your most obedient servant

M Devadatam

Deputy Commissioner

30 LR 179-91-4

(General Serial No. 30.)

1892.

(6)

From

The Chief Secretary to the Dewan of Mysore.

To

The Deputy Commr
Tumkur District

Dated

Despatched 14th March/92

Received

Enclosures No.

General No. 14195 R.

No. 223.

From the Asst Commr Tiptur dd 9/3/92

Herein his letter No 697 dated 26th February 1892 ~~submitting~~ reporting on petitions Nos 1103 of 1886-87 & 15 August & 30 October 1891 from Kushagya, Huchuraya Siddaiya & Chikkaiah Gubbi Taluk.

~~With reference to the above~~ I have the honor to request the submission of Proceedings connected with the above petitions, which are herewith ~~The Petitions with their Enclosures~~ are returned for the resubmission as early as possible.

By order

Draft

14/3/92

Under Secretary

(General Serial No. 30[illegible])

189[illegible]

OFFICE OF THE DEWAN OF MYSORE
22 MAR 92
PASSED

From The Deputy Commissioner
Bangalore District

To The Chief Secretary to the Government of Mysore

Dated Bangalore 19th March 1892.

Despatched

Received

Enclosures No. 1 file & 5.

General No.

No.

Sir,

I have the honor to transmit herewith the Proceedings noted in the margin of Medical Assistant Surgeon Bangalore in favor of Thimma Gowda in the Bangalore Taluk and to request that the sanction of Government may be accorded to the grant of a pension of Rupees 4 per mensem to the said Thimma Gowda.

I have the honor to be,

Sir,

Your most obedient servant

Deputy Commissioner

Bangalore

Dist. 19-3-92

Ret. to Deputy Commissioner 31/3/92

Con. 1893 5-15

Recommended for sanction by the 5th Prox.

H 25/3/92

Precis submitted

H.V.

8/4/92

This matter to the Council with references in similar cases - of which one has been disposed of & the other is pending

H 2/5/92.

Ans 22-3-92

32 Dc 179 91-6

Before the Government of *His Highness* the Maharaja of Mysore.

(8)

Appeal No. 1103 / 1686 of 1891-92

Appellant.	Vs.	Respondent.
Kuppiah & Chittambalu, Gubbi Taluk		

Decision. 31-10-92.

Petitioner had 2 Ballas of land assessed at Rs 2-4 which was included in the village site as Kharab in 1882-83. No conversion was given to him. Subsequently in September 1889, it was sold in a public auction as house site, and it was purchased by one Shamboga Subbarao for Rs 33. Petitioner protested against the sale and claimed the land, but his claim was rejected and the sale confirmed in November 1890. Petitioner immediately applied for a copy of the order, but it was [illegible]

given to him till August 1891.

2. Petitioner claims the land on the ground that it was formerly held by him, but taken away from him without compensation.

3. The Government consider that the sale of the land to a stranger was irregular. It is therefore cancelled. The land should be made over to Petitioner on his paying Rs 12 to Subba Row for the interest of the money paid by him, and Rs 5 to Government, which is twenty-five times the assessment plus the assessment of last years up to date. The sum of Rs 33 paid by Subbarow may be refunded to him.

"By order"

[illegible]

6-4-92 dated 21/11/92 for Chief Secretary

Pd 21-4-92

Copy to the Deputy Commr Cuddapah with the Petition received with his report 19th March 92

Redraft

"By order"

8/11

for Chief Secretary

I copy dated 8 Nov 1892

36

D 119-91-1

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
2nd November 1892.

Endorsement granted to Kuppiah of Chittanballi, Gubbi Taluk.
in reply to his Petition Registered No. 1005 dated 12th September 1892

Petitioner is ~~informed that~~ referred to the Deputy Commr to whom orders have been issued. ~~correcting the order.~~

2 The encs are returned.

MP
5/11/92.

"By Order,"

Draft
Asst Secretary
Officiating

Chief Secretary 8/11/92

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.